



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

PIPE  
FEB 25 2002

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/990,097         | 11/20/2001          | Osman K. Isvan        | 18864-06145            |

PT & TRADE

00758  
FENWICK & WEST LLP  
TWO PALO ALTO SQUARE  
PALO ALTO, CA 94306

CONFIRMATION NO. 1285

## FORMALITIES LETTER



\*OC000000007153793\*

Date Mailed: 12/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1110.
  - \$774 for 43 total claims over 20.
  - \$336 for 4 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1980.

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

5

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

COPY OF PAPERS  
ORIGINALLY FILED

APPLICANT: Osman K. Isvan  
APPLICATION NO.: 09/990,097  
FILING DATE: November 20, 2001  
TITLE: Noise Masking Communications Apparatus  
EXAMINER: Unknown  
GROUP ART UNIT: Unknown  
ATTY. DKT. NO.: 18864-06145

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: Feb. 4, 2002 By: Neil Maloney  
Neil Maloney, Reg. No.: 42,833

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

SIR:

Responsive to Notice to File Missing Parts dated December 4, 2001, received in the above-identified patent application,

☒ Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Declaration;
- ☒ Assignment and recordation cover sheet;

☒ payment in the amount of \$ 2,000 for the

☒ application filing fees;

☒ missing parts surcharge; and

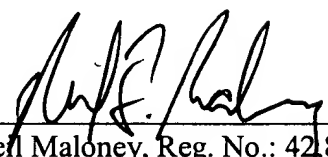
☒ Assignment recordation fee.

☐ Other

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,  
OSMAN K. ISVAN

Dated: Feb. 4, 2002

By:   
Neil Maloney, Reg. No.: 42,833  
Fenwick & West LLP  
Two Palo Alto Square  
Palo Alto, CA 94306  
Tel.: (415) 875-2477  
Fax.: (415) 281-1350

18864/06145/SF/5068076.1

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PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE


|   |    |                        |  |
|---|----|------------------------|--|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence during pendency of filed application) |    | 0001/PTO<br>Rev. 10/95 | U.S. Department of Commerce<br>Patent and Trademark Office |
|   |    | Application Number     | 09/990,097   |
|   |    | Filing Date            | November 20, 2001  |
|   |    | First Named Inventor   | Osman Isvan  |
|   |    | Group Art Unit Number  | Unknown  |
|   |    | Examiner Name          | Unknown  |
| Total Number of Pages in This Submission  | 10 | Attorney Docket Number | 18864-06145  |

**ENCLOSURES (check all that apply)**

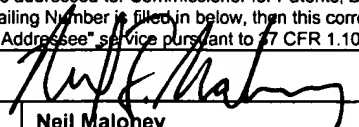
|   |  |
|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)<br><input checked="" type="checkbox"/> Check Enclosed<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Response to Notice to File Missing Parts<br><input checked="" type="checkbox"/> Assignment & Assignment Recordation<br><input checked="" type="checkbox"/> Declaration<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Information Disclosure Statement & PTO-1449<br><input type="checkbox"/> Copies of IDS Cited References<br><input type="checkbox"/> Request to Withdraw as Attorneys (in triplicate)<br><input type="checkbox"/> Request for Correction of Recorded Assignment<br><input type="checkbox"/> Amendment/Response: [ ] Page(s)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Status Request<br><input type="checkbox"/> Revocation and Power of Attorney | <input type="checkbox"/> Issue Fee Transmittal<br><input type="checkbox"/> Letter to Chief Draftsperson<br><input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figures [ ]<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> After Allowance Communication to Group<br><input checked="" type="checkbox"/> Copy of Formalities Letter<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |
|---|--|

REMARKS:

**SIGNATURE OF ATTORNEY OR AGENT**

|                    |   |        |              |
|--------------------|---|--------|--------------|
| Signature:         |  |        |              |
| Attorney/Reg. No.: | Neil Maloney, Registration No. 42,833   | Dated: | Feb. 4, 2002 |

**CERTIFICATE OF MAILING**

|  |   |        |              |
|--|---|--------|--------------|
| I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box MISSING PARTS, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10. |   |        |              |
| Signature:   |  |        |              |
| Typed or Printed Name:   | Neil Maloney  | Dated: | Feb. 4, 2002 |
| Express Mail Mailing Number (optional):  |   |        |              |

**COPY OF PAPERS  
ORIGINALLY FILED**

PTO/SB/17 (10-01)(modified)  
OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) U.S. Department of Commerce  
Rev. 10/2001 Patent and Trademark Office

**FEE TRANSMITTAL**

**TOTAL AMOUNT OF PAYMENT**

Subtotal (1) + Subtotal (2) + Subtotal (3) = **(\$ 2,000)**

**Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/990,097        |
| Filing Date            | November 20, 2001 |
| First Named Inventor   | Osman Isvan       |
| Group Art Unit         | Please assign     |
| Examiner Name          | Please assign     |
| Attorney Docket Number | 18864-06145       |

**METHOD OF PAYMENT**

**1. The Commissioner is hereby authorized to:**

- ☐ Charge the indicated fees to the below mentioned deposit account.
- ☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account.†
- ☐ Applicant claims small entity status See 37 CFR 1.27

Deposit Account Number: 19-2555  
Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

**2. ☒ Payment Enclosed:**

☒ Check ☐ Credit Card ☐ Other

**FEE CALCULATION (fees effective 10/01/2001)**

**1. FILING FEE**

| Large Entity<br>Fee Code/Fee | Small Entity<br>Fee Code/Fee | Fee Description    | Fee Due         |
|------------------------------|------------------------------|--------------------|-----------------|
| 101/\$740                    | 201/\$370                    | Utility Filing     | <b>740</b>      |
| 106/\$330                    | 206/\$165                    | Design Filing      |                 |
| 108/\$740                    | 208/\$370                    | Reissue            |                 |
| 114/\$160                    | 214/\$80                     | Provisional Filing |                 |
| <b>SUBTOTAL (1)</b>          |                              |                    | <b>(\$ 740)</b> |

**2. CLAIMS**

| Large Entity<br>Fee Code/Fee | Small Entity<br>Fee Code/Fee | Fee Description   |
|------------------------------|------------------------------|---|
| 103/\$18                     | 203/\$9                      | Claims in excess of 20                                  |
| 102/\$84                     | 202/\$42                     | Independent claims in excess of 3                       |
| 104/\$280                    | 204/\$140                    | Multiple dependent claim                                |
| 109/\$84                     | 209/\$42                     | Reissue independent claims over original patent         |
| 110/\$18                     | 210/\$9                      | Reissue claims in excess of 20 and over original patent |

**3. ADDITIONAL FEES**

| Large Entity<br>Fee Code/Fee | Small Entity<br>Fee Code/Fee | Fee Description  | Fee Due         |
|------------------------------|------------------------------|--|-----------------|
| 105/\$130                    | 205/\$65                     | Surcharge - late filing fee or oath  | <b>130</b>      |
| 127/\$50                     | 227/\$25                     | Surcharge-late provisional filing fee or cover sheet                       |                 |
| 147/\$2,520                  | 147/\$2,520                  | For filing a request for reexamination                                     |                 |
| 115/\$110                    | 215/\$55                     | Extension for response within first month†                                 |                 |
| 116/\$400                    | 216/\$200                    | Extension for response within second month†                                |                 |
| 117/\$920                    | 217/\$460                    | Extension for response within third month†                                 |                 |
| 118/\$1,440                  | 218/\$720                    | Extension for response within fourth month†                                |                 |
| 128/\$1,960                  | 228/\$980                    | Extension for response within fifth month†                                 |                 |
| 119/\$320                    | 219/\$160                    | Notice of Appeal   |                 |
| 141/\$1,280                  | 241/\$640                    | Petition to revive unintentionally abandoned application                   |                 |
| 142/\$1,280                  | 242/\$640                    | Utility Issue Fee (Or Reissue)   |                 |
| 143/\$460                    | 243/\$230                    | Design Issue Fee   |                 |
| 122/\$130                    | 122/\$130                    | Petitions to the Commissioner  |                 |
| 126/\$180                    | 126/\$180                    | Submission of Information Disclosure Statement                             |                 |
| 179/\$740                    | 279/\$370                    | Request for Continued Examination (RCE)                                    |                 |
| 581/\$40                     | 581/\$40                     | Recording each patent assignment per property (times number of properties) | <b>40</b>       |
| 146/\$740                    | 246/\$370                    | Filing a submission after final rejection (37 CFR 1.129(a))                |                 |
| 149/\$740                    | 249/\$370                    | For each additional invention to be examined (37 CFR 1.129(b))             |                 |
| Other fee (specify):         |                              |  |                 |
| Other fee (specify):         |                              |  |                 |
| <b>SUBTOTAL (3)</b>          |                              |  | <b>(\$ 170)</b> |

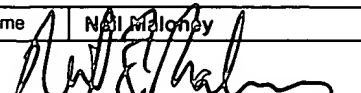
| (Col. 1)   |                        | (Col. 2) |                                 | (Col. 3) |         | Fee |    | Fee Due |     |
|--|------------------------|----------|---------------------------------|----------|---------|-----|----|---------|-----|
| For  | No. of Existing Claims |          | Highest No. Previously Paid For |          | Extra** |     |    |         |     |
| TOTAL  | 63                     | minus*   | 20 or                           | =        | 43      | x   | 18 | =       | 774 |
| INDEP  | 7                      | minus*   | 3 or                            | =        | 4       | x   | 84 | =       | 336 |
| [ ] First presentation of multiple dependent claim |                        |          |                                 |          |         |     |    |         |     |

\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

**SUBTOTAL (2)** **(\$ 1,110)**

**SUBMITTED BY**

|                       |   |                                 |                  |
|-----------------------|---|---------------------------------|------------------|
| Typed or Printed Name | Neil Maloney  | <b>Complete (if applicable)</b> |                  |
| Signature             |  | Reg. Number                     | 42,833           |
|                       |   | Date                            | February 4, 2002 |

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby